

**COPELAND BOROUGH COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/20/2516/OF1	
2.	Proposed Development:	THREE BEDROOMED DWELLING	
3.	Location:	PLOT 1, FLEATHAM FARM, HIGH HOUSE ROAD, ST BEES	
4.	Parish:	St. Bees	
5.	Constraints:	ASC;Adverts - ASC;Adverts, Conservation Area - Conservation Area, Coal - Standing Advice - Data Subject To Change	
6.	Publicity Representations &Policy	Neighbour Notification Letter	Yes
		Site Notice	Yes
		Press Notice	Yes
		Consultation Responses	See Report
		Relevant Policies	See Report
7.	Report:		
	Site and Location		
	This application relates to a vacant site, located off High House Road, within the St Bees Conservation Area.		
	The site is part of the Fleatham Farm development which has previously been granted planning permission under various approvals for the conversion of the former farm house to two dwellings, and the change of use of the existing barn to five dwellings. Permission was also granted in 2006 (ref: 4/06/2541/0) for the erection of two dwellings on land adjacent to Fleatham Farm. Plot two of this site was subsequently granted permission in 2007 (4/07/2367/0) for the erection of a detached dwelling, which has since been developed and is now known as Arenisca.		

This current application refers to the remaining vacant plot subject to the 2006 approval.

Relevant Planning History

4/16/2219/0F1 – Erection of detached dwelling - Refused

4/18/2290/0F1 – Erection of detached dwelling – Approved

Proposal

This application seeks planning permission for the erection of a detached dwelling. The proposed dwelling will measure 8.5m x 11.3m, and will benefit from a varying eaves height ranging from 2.2m to 4.8m, and an overall ridge height of 8m. The proposed dwelling has been designed with a front facing gable which will measure 3.8m x 5.5m, and has been designed to reflect the roof pitch of the main dwelling. The proposed also includes a side sunroom which will measure 3.3m x 4.45m, again designed to reflect the roof pitch of the main dwelling.

Internally the proposed dwelling will incorporate at ground floor level a hall, living room, sunroom, open plan kitchen/dining/study, utility room, wc, and an office. The proposed first floor of the dwelling will provide a master bedroom with an ensuite bathroom, a family bathroom, and two double bedrooms one with an ensuite.

Externally the proposed development will be finished with self-coloured white render, brick plinths, a slate roof, grey UPVC windows and doors, and local masonry St Bees red sandstone with quoins to the corners.

Consultation Responses

Parish Council

No objections.

Cumbria County Council – Cumbria Highways & LLFA

No objections subject to the inclusion of conditions relating to access gates, access drive materials, surface water drainage onto the highway, and reduction in existing boundary treatment heights.

United Utilities

In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

Following the proposed change to the drainage for this site, United Utilities requested the inclusion of conditions relating to surface and foul water.

Copeland Borough Council – Flood and Coastal Defence Engineer

The Council's Flood and Coastal Defence Engineer originally requested additional in terms of the proposed drainage at the site as plans made reference to soakaways but other documents refers to other methods of surface water disposal.

The agent for this application has confirmed that the site will be drained by the existing drainage on site. The Council's Flood and Coastal Defence Engineer has stated that unless it is a private surface water drain, the Officer would expect that United Utilities will want it to be demonstrated that a soakaway is not feasible, before allowing a connection into the sewer. In any case the Officer would expect that the private surface water sewer probably runs into the adopted surface water sewer.

Copeland Borough Council – Conservation Officer

The Council's Conservation Officer has stated that the north elevation is most important in determining the building's impact on both the conservation area and the neighbouring Telephone Exchange, which can be considered a non-designated heritage asset. The changes when compared with the previous permission appear to have had the effect of reducing the visual mass of the dwelling as viewed from the north. The Officer states that the redesign is an improvement in this respect and its impact on the Conservation Area and neighbouring Telephone Exchange is less. However the Officer has stated that work could be done to improve the detailing of the north elevation as it is at risk of appearing rather flat, white and featureless. Possibly cladding in red sandstone to match the opposite side would bring an improvement. Making use of render in a more muted pastel or earthy colour could also be a way to soften the appearance of the building and bring it more in line with guidance in Copeland's Conservation Area Design Guide. It may be possible to bring more articulation to this façade by implementing a contrasting triangular detail at the gable point, bounded by the roof pitches and a line approximately at the previously permitted eaves height. If detailed cleverly, this could have the effect of visually reducing the height/mass of the wall and providing subtle enrichment.

Further to these comments the agent for the application has submitted details to show the lack of visibility of the site from the nearby road and therefore from the Conservation Area. The Council's Conservation Officer requested a change to the colour of the render in this elevation as a compromise position but agent the agent did not want to alter the design of the dwelling based on visibility and the previous approval at the site. Based on this the Conservation Officer concluded that he was satisfied with the proposed scheme.

Cumbria County Council – Footpaths Officer

Public Footpath 423003 follows an alignment to the south side of the development and must not be

altered or obstructed before or after the development has been completed. If the footpath is to be temporarily obstructed then a formal temporary closure will be required there is a 12 week lead in time for this process, for further information please contact Sandra.smith@cumbria.gov.uk.

Public Representation

This application has been advertised by way of a site notice, press notice and neighbour notification letters issued to fourteen properties. Two letters have been received in relation to this application. One letter states that they support the proposal but have made the following comments:

- What materials will used in the boundary treatment.
- Sandstone would be preferred material to fit with the area, previously a farm access road and due to close proximity to our home opposite.

The other letter states that they are neutral and have made the following comments:

- There is an existing issue with drainage of rainwater down the Fleatham Farm development drive.
- The proposed soakaways need to be large enough not to add to the flooding problem.
- Fences to be erected do not disturb the existing hedges and trees on boundaries of the site.
- The proposal is preferred to the previous approval.

Planning Policy

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

Development Plan

Copeland Local Plan 2013 – 2028 (Adopted December 2013)

Core Strategy

Policy ST1 – Strategic Development Principles

Policy ST2 – Spatial Development Strategy

Policy SS1 – Improving the Housing Offer

Policy SS2 – Sustainable Housing Growth

Policy T1 – Improving Accessibility and Transport

Policy ENV1 – Flood Risk and Risk Management

Policy SS3 – Housing Needs, Mix and Affordability

Policy ENV5 – Protecting and Enhancing the Borough’s Landscapes

Policy ENV4 – Heritage Assets

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM11 – Sustainable Development Standards

Policy DM12 – Standards of New Residential Developments

Policy DM22 – Accessible Developments

Policy DM26 – Landscaping

Policy DM27 – Built Heritage and Archaeology

Other Material Planning Considerations

National Planning Policy Framework (2019)

National Design Guide (NDG).

Cumbria Development Design Guide (CDG)

Strategic Housing Market Assessment 2019 (SHMA)

Copeland Borough Council Housing Strategy 2018 – 2023 (CBCHS)

Planning (Listed Building and Conservation Areas) Act 1990

Conservation Area Design Guide

Emerging Copeland Local Plan (ELP):

The emerging Copeland Local Plan 2017-2035 is currently the subject of a Preferred Options Consultation. The Preferred Options Consultation builds upon the completed Issues and Options Consultation, which finished in January 2020. Given the stage of preparation, the emerging Copeland Local Plan 2017-2035 has only limited weight in decision making, but provides an indication of the direction of travel of the emerging planning policies, which themselves have been developed in accordance with the provisions of the National Planning Policy Framework.

Assessment

Principle of Development

Policies ST1 and ST2 along with Policies SS1, SS2, and SS3, seek to promote sustainable development to meet the need and aspirations of the Borough's housing market. These policies further concentrate development within the defined settlement boundaries in accordance with the Borough's settlement hierarchy. The NPPF also seeks to support the Government's objective of significantly boosting the supply of housing through sustainable development.

The site lies within the defined settlement boundary for St Bees, which is classified within the Copeland Local Plan as a Local Centre where new development within the defined physical limits of the settlement is appropriate. The principle of developing this site for a single dwelling house has already been established by the previous planning approvals at this site. It is therefore considered that the proposal complies with policies ST1, ST2, SS1, SS2, and SS3 of the Copeland Local Plan and provisions of the NPPF.

Scale, Design and Impact of Development

Within the Copeland Local Plan, Policies DM10, DM11, and DM12, and section 12 of the NPPF, seek to secure high standards of design for new residential properties. These policies seek to create and maintain a reasonable standard of amenity, and set out detailed requirements with regard to standard of residential amenity, including the provision of parking spaces, separation distances and open space.

This application seeks approval for the erection of a single three bedroomed dwelling on this site. The previous application sought permission for a single one and a half storey detached dwelling of a traditional nature. The current proposal also seeks permission for a one and half storey dwelling based broadly on the previous approved plan at this site. Whilst the proposed dwelling will be located on the same footprint the floor level is proposed to be one metre lower from that previously approved. The main difference between the proposals mainly relate to the roof profile and the removal of the single rear element proposed as part of the previous approval.

Based on the amendments to the scheme, particularly the reduction in floor level and the change in roof profile this reduces the perceived height of the dwelling. The change to the roof profile also reduces the massing of the dwelling and potential overshadowing of existing dwellings on High House Road. This amendment also reduces the visual impact of the dwelling from the nearby road and public vantage points. Furthermore the removal of the single storey rear element of the previously approved dwelling will increase the separation distances between existing properties and reduce the impact and potential overlooking concerns for the adjacent dwellings. In order to further safeguard the amenities of the adjacent properties it is proposed that a 2m close boarded fence will be erected along the north boundary of the site in line with the previous permission. This can be secured

through an appropriately worded planning condition.

It is also proposed to utilise traditional materials within the construction of the dwelling, including a slate roof and local sandstone. The main elevation which would be viewed on the approach to the site is to be faced with St Bees sandstone and the remainder of the building will utilise sandstone quoins, this will ensure the development is in keeping with the character of the surrounding area.

Discussions have been undertaken with the applicant and agent for this application in relation to the boundary treatment to the front of the site. The previous approval retained an open frontage and permitted development rights (including means of enclosure) were removed from the site. The current application originally sought permission for an open fronted site, however a fence boundary was then requested. Concerns were raised with regard to the impact of this upon the Conservation Area, therefore the applicant has decided to set the boundary back from the site frontage. The proposed fence will be set back on a batter. However, as the Local Planning Authority is not satisfied that accurate details of the existing boundary wall, and therefore the overall height of the batter and fence, have been provided a condition is proposed to secure this detail prior to the commencement of works on site.

On this basis, the proposal is considered to comply with of the Local Plan and section 12 of the NPPF.

Impact on Conservation Area

Policy ST1, ENV4, DM27 of the Copeland Local Plan seek to protect, conserve and where possible enhance the historic, cultural and architectural character of the Borough's historic sites.

The Listed Building and Conservation Areas Act sets out a clear presumption that gives considerable importance and weight to the desirability of preserving a heritage asset and its setting.

Section 72 requires that "special attention shall be paid to the desirability of preserving or enhancing the character and appearance of the Conservation Area".

Paragraph 192 of the National Planning Policy Framework (NPPF) states that "In determining applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation..."

Paragraph 197 of the National Planning Policy Framework (NPPF) states the effect on the significance of a non-designated heritage asset should be taken into account when making decisions.

In new development, opportunities should be sought to enhance or better reveal the significance of conservation areas (NPPF para. 200).

The Council's Conservation Officer has confirmed that the north elevation is most important in determining the building's impact on both the conservation area and the neighbouring Telephone Exchange, which can be considered a non-designated heritage asset. The Officer has stated that the

changes when compared with the previous permission appear to have had the effect of reducing the visual mass of the dwelling as viewed from the north. The Officer states that the redesign is an improvement in this respect and its impact on the Conservation Area and neighbouring Telephone Exchange is less. However the Officer has stated that work could be done to improve the detailing of the north elevation as it is at risk of appearing rather flat, white and featureless.

Further to these comments the agent for this application submitted images to show the limited visibility of the site from the nearby road and public vantage points within the Conservation Area. In order to reach a compromise position the Conservation Officer requested a change in colour of the render on this elevation, however the agent again resisted this citing the lack of visibility and the previously approval at the site as justification.

The amendments to the current scheme have reduced the impact of the development upon the Conservation Area. The change in the roof pitch has reduce the massing of the building from the key vantage points within the Conservation Area. The previous application was granted permission for a similar finish to this current application therefore it would be unreasonable to insist on a change to the proposed render on this elevation, particular as the adjacent dwelling is of a similar finish.

In applying the statutory duties of the LBCA and the relevant provisions of the Copeland Local Plan and NPPF, the proposal will preserve the special interest of the St Bees Conservation Area and thereby preserves its character and appearance.

Drainage and Flood Risk

Policy ST1B(ii) and paragraph 163 of the NPPF seek to focus development on sites that are at least risk of flooding and where development in flood risk is unavoidable, ensure that the risk is minimised or mitigated through appropriate design. Policy ENV1 and DM24 of the Copeland Local Plan reinforces the focus of protecting development against flood risk.

The application site is located within Flood Zone 1, however based on concerns raised by a neighbouring property regarding drainage, the Council's Flood and Coastal Defence Engineer, Lead Local Flood Authority and United Utilities have been consulted upon this application.

The previous approval at this site was approved with surface water draining to a soakaway. It is now proposed that the development will drain to an existing surface water drain within the site. No objections have been received in relation to this proposal from statutory consultees however United Utilities have requested conditions relating to surface and foul water drainage.

These conditions will secure proper drainage within the site and will manage the risk of flooring and pollution, ensuring that the development complies with Policy ENV1 and Policy DM24 of the Copeland Local Plan 2013 – 2028 and the provisions of the NPPF.

Access, Parking and Highway Safety

Policy T1 of the Core Strategy requires mitigation measures to be secured to address the impact of

	<p>major housing schemes on the Boroughs transportation system. Policy DM22 of the Copeland Local Plan requires developments to be accessible to all users and to meet adopted car parking standards, which reflect the needs of the Borough in its rural context.</p> <p>The proposed access to the proposed dwelling remains as previously approved. Cumbria Highways have offered no objections subject to the inclusion of conditions relating to access gates, access drive materials, surface water drainage onto the highway, and reduction in existing boundary treatment heights.</p> <p>The requested condition will ensure the proposal complies with Policies T1 and DM22 of the Copeland Local Plan and will provide an accessible development with an acceptable parking provision.</p> <p><u>Planning Balance</u></p> <p>This application seeks planning permission for the erection of a single dwelling within the settlement boundary of St Bees. The principle of developing this site for a residential properties has been established by the previous approvals. The proposal reflects the footprint of the previously approved scheme at this site however alterations have been made, including the change to the roof design and removal of rear element, to reduce the overall impact of the development upon nearby neighbouring properties. Although the development will be visible from the Conservation Area, the proposed changes to the scheme have reduced the developments impacts and the proposed materials ensure the proposal reflect the character of the area.</p> <p><u>Conclusion</u></p> <p>On balance, the proposal is considered to be an acceptable form of sustainable development which is compliant with policies of the Copeland Local Plan and the provisions of the NPPF.</p>
8.	<p>Recommendation:</p> <p>Approve (commence within 3 years)</p>
9.	<p>Condition(s):</p> <p><u>Standard Conditions</u></p> <ol style="list-style-type: none"> 1. The development hereby permitted must be commenced before the expiration of three years from the date of this permission. <p>Reason</p> <p>To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the</p>

Planning and Compulsory Purchase Act 2004.

2. This permission relates to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them:-

- Block Plan with Ground Floor Plan (Amended), Scale 1:200, Dwg No. 20/0267/5D, Rev D, received by the Local Planning Authority on the 9th March 2021.
- Ground Floor Plan General Arrangements, Scale 1:50, Dwg No. 20/0267/1, received by the Local Planning Authority on the 22nd December 2020.
- First Floor Plan General Arrangement (Amended), Scale 1:50, Dwg No. 20/0267/2A, Rev A, received by the Local Planning Authority on the 12th February 2021.
- Proposed Elevations, Scale 1:100, Dwg No. 20/0267/3, received by the Local Planning Authority on the 22nd December 2020.
- Proposed Elevations with Original Approved Profiles Shaded, Scale 1:100, Dwg No. 20/0267/3, received by the Local Planning Authority on the 22nd December 2020.
- Design and Access Statement, received by the Local Planning Authority on the 15th January 2021.

Reason

To conform with the requirement of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

Pre Commencement Conditions

3. No development shall commence until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme must include:

- An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water;
- A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations); and
- A timetable for its implementation.

The approved scheme shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

The development hereby permitted shall be carried out only in accordance with the approved

drainage scheme.

Reason

To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

4. Details of all measures to be taken by the applicant/developer to prevent surface water discharging onto or off the highway must be submitted to and approved in writing by the Local Planning Authority for prior to development being commenced at this site. Any approved works must be implemented prior to the development being completed and shall be maintained operational thereafter.

Reason

In the interests of highway safety and environmental management.

5. Notwithstanding the information already submitted, full details of the proposed boundary treatment along the frontage of the site (south and south west boundary), including any reprofiling of the land, must be submitted to and approved in writing by the Local Planning Authority before works commence on site. The proposed development must be carried out in accordance with the approved details and must be maintained as such at all times thereafter.

Reason

To ensure a satisfactory appearance of the development in the interests of visual amenity.

Prior to Use/Occupation Conditions

6. The access drive must be surfaced in bituminous or cement bound materials, or otherwise bound and must be constructed and completed before the development is occupied/brought into use.

Reason

In the interests of highway safety.

7. Prior to their first use on the development hereby permitted representative samples of the materials to be used on the external surfaces of the development hereby permitted must be submitted to and approved in writing by the Local Planning Authority. Development must be carried out in accordance with the approved details and so maintained thereafter.

Reason

To ensure a satisfactory appearance of the development in the interests of visual amenity.

8. Any existing highway fence/wall boundary must be reduced to a height not exceeding 1.05m above the carriageway level of the adjacent highway in accordance with details submitted to the Local Planning Authority and which have subsequently been approved before the development is brought into use and must not be raised to a height exceeding 1.05m thereafter.

Reason

In the interests of highway safety.

9. Prior to occupation of the dwelling hereby approved a 2m close board timber fence shall be erected along the northern boundary of the site in accordance with approved plan 'Block Plan with Ground Floor Plan (Amended), Scale 1:200, Dwg No. 20/0267/5D, Rev D, received by the Local Planning Authority on the 9th March 2021'. Development shall be carried out in accordance with the approved details and shall be maintained as such at all times thereafter.

Reason

To safeguard the amenities of occupiers of adjoining properties and to ensure a sympathetic boundary treatment which is appropriate to this part of the Conservation Area.

Other Conditions

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that order with or without modification) no external alterations (including replacement windows and doors) or extensions, conservatories, dormer, or enlargement shall be carried out to the dwelling, nor shall any detached building, enclosure, domestic fuel containers, pool or hardstandings be constructed within the curtilage other than those expressly authorised by this permission.

Reason

To safeguard the character and appearance of the development in the interests of the visual amenity of the Conservation Area.

11. Access gates, if provided, shall be hung to open inwards only away from the highway.

	<p>Reason</p> <p>In the interests of highway safety.</p> <p>12. Foul and surface water shall be drained on separate systems.</p> <p>Reason</p> <p>To secure proper drainage and to manage the risk of flooding and pollution.</p> <p>Informatives:</p> <ol style="list-style-type: none"> 1. Public Footpath 423003 follows an alignment to the south side of the development and must not be altered or obstructed before or after the development has been completed. If the footpath is to be temporarily obstructed then a formal temporary closure will be required there is a 12 week lead in time for this process, for further information please contact Sandra.smith@cumbria.gov.uk. 2. If the application is approved the applicant must not commence works, or allow any person to perform works, on any part of the highway until in receipt of an appropriate permit allowing such works. They will need to contact Streetworks Central streetworks.central@cumbria.gov.uk for the appropriate permit. <p>Statement:</p> <p>The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the National Planning Policy Framework.</p>
Case Officer: C. Burns	Date : 11.03.2021
Authorising Officer: N.J. Hayhurst	Date : 11/03/2021
Dedicated responses to:-	

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